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9 **Attorneys for Defendant**  
10 **CITIMORTGAGE, INC.**

11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13 **FRANCINE A. McGEE,**

14 **Plaintiff,**

15 **v.**

16 **CITI MORTGAGE, NATIONSTAR**  
17 **MORTGAGE, LLC, THE COREY GEIB TEAM,**  
18 **DOING BUSINESS AS RE/MAX BENCHMARK**  
19 **REALTY, INC., CAL-WESTERN**  
20 **RECONVEYANCE CORPORATION, FEDERAL**  
21 **NATIONAL MORTGAGE ASSOCIATION,**  
22 **DOES I-X, and ROES CORPORATIONS I-X,**

23 **Defendants.**

Case No. 2:12-cv-02025 JCM PAL

**REQUEST FOR CLARIFICATION OF**  
**COURT ORDER CLOSING CASE AND**  
**ORDER**

24 Plaintiff FRANCINE MCGEE (“Plaintiff”) and Defendant CITIMORTGAGE, INC., by and  
25 through their respective attorneys of record (collectively, the “Parties”), previously appeared before  
26 the Court for a bench trial on January 26, 2015. The parties entered into a settlement agreement  
27 thereafter and Plaintiff agreed to dismiss the action with prejudice against Defendant CitiMortgage,  
28 Inc.

As of July 30, 2015, the Parties have performed their obligations except for a dismissal of  
this action with prejudice. Thereafter, Defendant CitiMortgage, Inc.’s counsel requested Plaintiff’s  
counsel agree to file a stipulation of dismissal with prejudice to confirm the dismissal of the action.



1 Plaintiff's counsel has not agreed to do so, instead pointing to the Court's April 20, 2015 order  
2 closing this matter.

3 Thus, CitiMortgage, Inc. is only seeking Court clarification that this action has been  
4 dismissed with prejudice pursuant to the terms of the Parties' settlement agreement. Plaintiff's  
5 counsel has been served with this request.

6  
7 DATED: September 22, 2015

WOLFE & WYMAN LLP

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9 By: /s/ Andrew A. Bao SBN 10508

10 ANDREW A. BAO  
11 Attorneys for Defendant  
12 CITIMORTGAGE, INC.  
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WOLFE & WYMAN LLP  
ATTORNEYS & COUNSELORS AT LAW

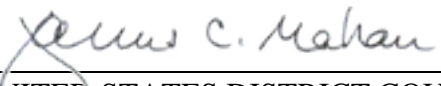


**ORDER**

Good cause appearing therefore, **IT IS CONFIRMED** that Defendant CitiMortgage, Inc. has been dismissed from this action with prejudice.

**IT IS SO ORDERED.**

DATED: September 24, 2015

By:   
UNITED STATES DISTRICT COURT JUDGE

Submitted by:

WOLFE & WYMAN LLP

By: /s/ Andrew A. Bao SBN 10508

ANDREW BAO, ESQ.

Nevada Bar No. 10508

980 Kelly Johnson Drive, Suite 140

Las Vegas, NV 89119

*Attorneys for Defendant CitiMortgage, Inc.*

WOLFE & WYMAN LLP  
ATTORNEYS & COUNSELORS AT LAW



**PROOF OF SERVICE**

STATE OF CALIFORNIA )  
 ) ss.  
 COUNTY OF CONTRA COSTA )

I, Lisa White, declare: I am employed in the County of Contra Costa, State of California. I am over the age of 18 and not a party to the within action. My business address is 2175 N. California Blvd., Suite 645, Walnut Creek, California 94596-3502.

On the date shown below, I served the document(s) described as **REQUEST FOR CLARIFICATION OF COURT ORDER CLOSING CASE AND [PROPOSED] ORDER** on all interested parties in said action by placing a true copy thereof in a sealed envelope addressed as stated on the ATTACHED SERVICE LIST.

☐ **BY MAIL:** as follows:

☐ **STATE** - I am "readily familiar" with Wolfe & Wyman LLP's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Walnut Creek, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

☐ **FEDERAL** - I deposited such envelope in the U.S. Mail at Walnut Creek, California, with postage thereon fully prepaid.

☐ **BY PERSONAL SERVICE** as follows: I caused a copy of such document(s) to be delivered by hand to the offices of the addressee between the hours of 9:00 A.M. and 5:00 P.M.

☐ **BY OVERNIGHT COURIER SERVICE** as follows: I caused such envelope to be delivered by overnight courier service to the offices of the addressee. The envelope was deposited in or with a facility regularly maintained by the overnight courier service with delivery fees paid or provided for.

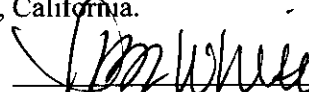
☐ **BY FACSIMILE** as follows: I caused such documents to be transmitted to the telephone number of the addressee listed on the attached service list, by use of facsimile machine telephone number. The facsimile machine used complied with California Rules of Court, Rule 2004 and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2006(d), a transmission record of the transmission was printed.

☒ **BY ELECTRONIC MAIL** as follows: I hereby certify that I electronically transmitted the attached document(s) to the U.S. District Court using the CM/ECF System for filing, service and transmittal pursuant to the Notice of Electronic Filing to the CM/ECF registrants for this case.

☒ **STATE** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **FEDERAL** I declare that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was made.

Executed on September 12, 2015, at Walnut Creek, California.

  
 LISA WHITE

**SERVICE LIST**

**U.S. District Court, District of Nevada – Case No. 2:12-cv-02025 JCM PAL**

**Francine A. McGee v. CitiMortgage, Inc., et al.**

**W&W File No. 1133-1060**

**[Revised: 08/11/15]**

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